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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

May 8, 1998

Magalie Roman Salas, Secretary
Federal Communications Commission
1919 M Street, N.W., Room 222
Washington, D.C. 20554

-- BY HAND --

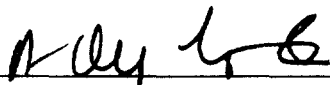
Re: Petition for Rule Making -- New FM
Windy Valley Broadcasting
Channel 293C, Superior, Wyoming

Dear Ms. Salas:

Please find a Petition for Rule Making seeking the allocation of Channel 293C to Superior, Wyoming.

Respectfully submitted,

WINDY VALLEY BROADCASTING

By 
A. Wray Fitch III

cc: Victor A. Michael, Jr.

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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

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MAY - 8 1998

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the matter of:)

Amendment of Section 73.202 (b))

Table of Allotments)

FM Broadcast Stations)

(Superior, Wyoming))

RM-_____

PETITION FOR RULE MAKING

In this petition, Windy Valley Broadcasting is hereby requesting to allot channel 293C (106.5 Mhz) to Superior, Wyoming as its first local FM allotment.

INTRODUCTION

1. This statement is a petition for rule making to allot FM channel 293C (106.5 Mhz) to Superior and add it to the Commission's FM table of allotments, 73.202. The following will show the need for an FM channel and the effects the allotment of Channel 293C to Superior will have.

DISCUSSION

2. Superior is located in southeast Wyoming. It is also located within Sweetwater County, a county of some 38,823 persons. Superior has a population of 273 persons in accordance with the U.S. 1990 census.

3. The allotment of channel 293C to Superior will provide the first local broadcast facility to the community and/or the surrounding area. The closest FM allotment to Superior is located at Rock Springs, Wyoming. Rock Springs is located 39 kilometers from Superior.

It is obvious that from the above spacing that Superior is presently without local FM service.

4. Superior would greatly benefit from an FM allotment due to the fact there is no AM or FM broadcast facilities within 39 Kilometers of Superior. Because of this, it would have an outlet for local self expression. Health and safety for the community would be increased due to having a local communications outlet for warning the Superior area of emergency conditions caused by severe weather or other health hazards.

5. Channel 293C can be allotted to Superior and meet all rules and requirements of the Commission. The instant proposal will not cause a change in the channel number or a deletion of any channel now appearing in the Commission's table of allotments 73.202.

| | <u>Present</u> | <u>Proposed</u> |
|-------------------|----------------|-----------------|
| Superior, Wyoming | ----- | 293C |

6. In accordance with 73.207 of the Commission's rules, "Minimum Distance Separations between Stations", all allotments on Channel 293C and the pertinent adjacent channels to 293C have been studied with the results listed in Figure 1 of this petition. The geographic coordinates used for the spacing

Study (N 41 - 46' - 12", W. 108 - 58' - 12") are that of a site located within the community of Superior. No site restriction will be required to allot channel 293C to Superior. Many suitable transmitter sites are available to provide city grade coverage (3.16 mv/m or 70 dbu) to the entire community of Superior. These sites would also provide full minimum spacing requirements to other allotments.

CONCLUSION

7. It has been shown that Superior would benefit from the allotment of channel 293C. It has also been shown that channel 293C can be allotted to Superior and meet all rules regarding spacing from other stations. Considering these two facts, Windy Valley Broadcasting hereby requests that the Federal Communications Commission institute a Rule Making proceeding to amend the Table of Allotments to include channel 293C for Superior, Wyoming, 73.202.

8. Should channel 293C be allotted to Superior, I certify that I will file an application for a Construction Permit to operate an FM station for Superior, Wyoming.

CERTIFICATION

9. I certify that I have prepared or directly supervised the preparation of this entire Petition for Rule Making, and that the facts contained within are true to the best of my knowledge, information and belief, accurate and true.

Dated: May 6, 1998

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Victor A. Michael Jr.", is positioned above the printed name.

**Victor A. Michael Jr.
President
Windy Valley Broadcasting
7901 Stoneridge Drive
Cheyenne, WY 82009**

307-778-9318

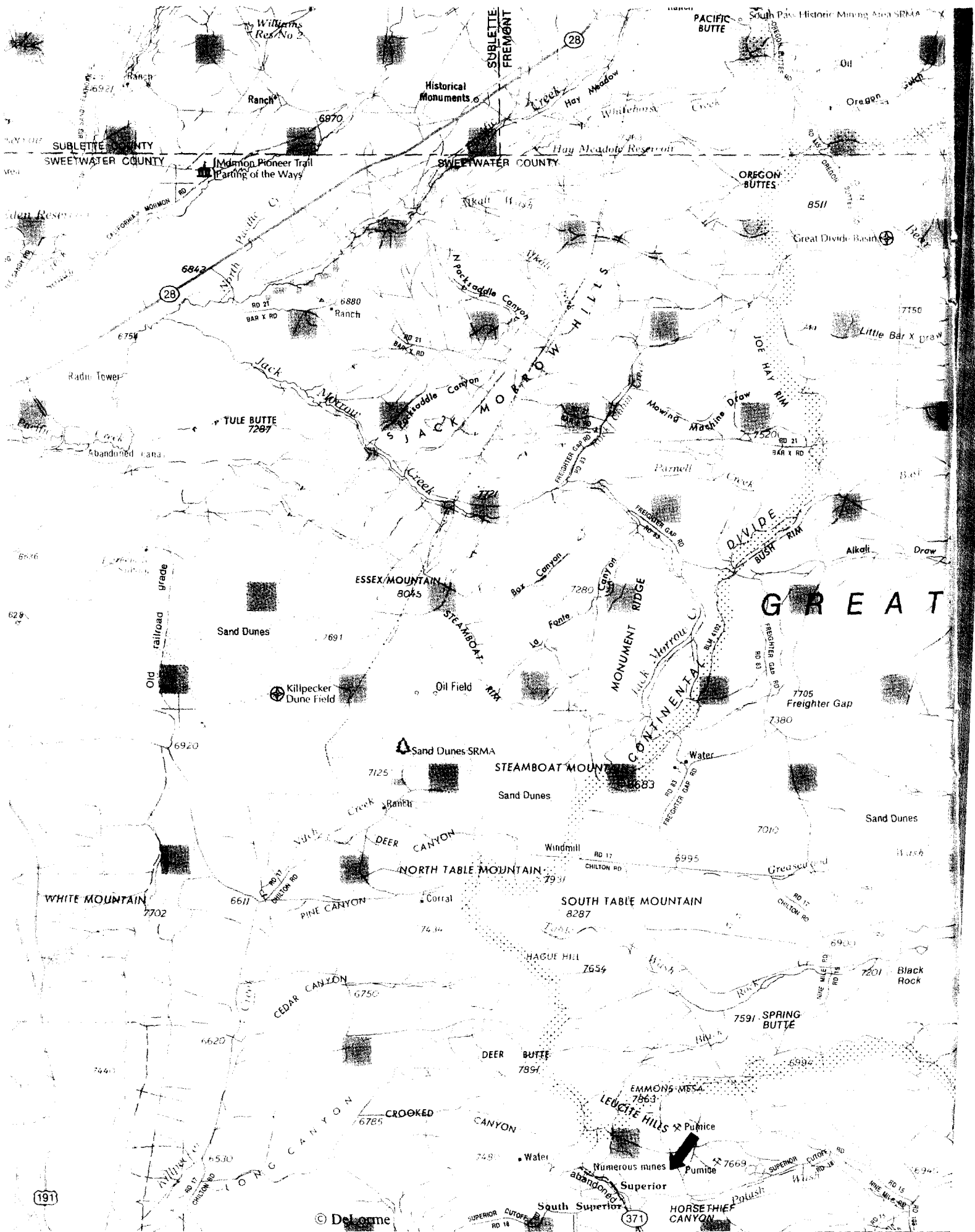
MAPFM search of channel 293C (106.5 MHz), at N. 41 46 12, W. 108 58 12.

Searching Channel 293C (106.5 MHz):

| CALL | CITY | ST | CHN | CL | S | DIST | SEPN | BRNG | CLEARANCE |
|--------|--------------|----|-----|----|---|-------|-------|--------|-----------|
| ALC | Vernal | UT | 290 | C3 | U | 159.4 | 96.0 | 199.2° | 63.4 |
| KLCYFM | Vernal | UT | 290 | A | L | 159.4 | 94.0 | 199.2° | 65.4 |
| ALC | Evanston | WY | 291 | C3 | U | 168.2 | 96.0 | 254.0° | 72.2 |
| KOTB | Evanston | WY | 291 | C3 | L | 168.2 | 96.0 | 254.0° | 72.2 |
| KOTB | Evanston | WY | 291 | C3 | L | 168.2 | 96.0 | 254.0° | 72.2 |
| ALC | Island Park | ID | 293 | C | D | 348.1 | 290.0 | 326.8° | 58.1 |
| ALC | Island Park | ID | 293 | C | V | 348.1 | 290.0 | 326.8° | 58.1 |
| NEW | Island Park | ID | 293 | C | A | 369.4 | 290.0 | 327.1° | 79.4 |
| ALC | Spanish Fork | UT | 293 | C | U | 299.2 | 290.0 | 236.4° | 9.2 |
| KOSY | Spanish Fork | UT | 293 | C1 | L | 299.2 | 270.0 | 236.4° | 29.2 |
| KOSY | Spanish Fork | UT | 293 | C | C | 299.2 | 290.0 | 236.4° | 9.2 |

FIGURE 1

WINDY VALLEY BROADCASTING
CHANNEL SPACING STUDY (CH. 293C)
SUPERIOR, WYOMING



SPRINGS

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